

**MICHIGAN DEPARTMENT OF HEALTH AND HUMAN SERVICES (MDHHS)
CERTIFICATE OF NEED (CON) COMMISSION MEETING**

Thursday, September 16, 2021

In-Person and Zoom Meeting

DRAFT MINUTES

I. Call to Order and Introductions

Chairperson McKenzie called the meeting to order at 9:33 a.m.
Commissioners introduced themselves.

A. Members present:

Amy L. McKenzie, MD, Chairperson
Amy Engelhardt-Kalbfleisch, DO
Eric Ferguson, MD
Debra Guido-Allen, RN
Donald Haney
Ashok Kondur, MD
Melanie K. Lalonde
Lorissa MacAllister

B. Members present and participating remotely:

James B. Falahee, Jr., JD, Vice-Chairperson – Kalamazoo County
Justin B. Dimick, MD – Washtenaw County

C. Members Absent:

Renee Turner-Bailey

D. Department of Attorney General Staff:

Brien Heckman

E. Michigan Department of Health and Human Services Staff Present:

Tulika Bhattacharya
Beth Nagel
Tania Rodriguez
Brenda Rogers

II. Review of Agenda

Motion by Commissioner Haney, seconded by Commissioner MacAllister to approve the agenda as presented. Motion carried.

III. Declaration of Conflicts of Interests

None.

IV. Review of Minutes of June 17, 2021

Motion by Commissioner Falahee, seconded by Commissioner Kondur to approve the minutes as presented with the following addition.

For clarity regarding the motion for PET under item VII. C., add Commissioner MacAllister as an abstention in the roll call vote.

Motion carried.

V. Hospital Beds Informal Workgroup – Final Report & Draft Language

Hospital Beds Informal Workgroup Chairperson Jennifer Groseclose and informal workgroup member Joel Flugstad provided the report and presentation (Attachments A and B).

Questions and answers to Hospital Beds Informal Workgroup Chairperson Groseclose and Joel Flugstad followed.

A. Public Comment

1. Tom Boike, MHP

B. Commission Discussion

Discussion followed.

C. Commission Proposed Action

Motion by Commissioner Falahee, seconded by Commissioner Guido-Allen to take proposed action on the language (Attachment C) as presented and move forward to Public Hearing and to the Joint Legislative Committee (JLC).

A roll call vote followed:

Dimick – yes

Haney – yes
Engelhardt-Kalbfleisch – yes
Kondur – yes
MacAllister – yes
Lalonde – yes
Ferguson – yes
Guido-Allen – yes
Falahee – yes
McKenzie – yes

Motion carried.

VI. Hospital Beds – Public Hearing Summary

Ms. Rogers gave an overview of the public hearing summary and the Department's recommendations (Attachment D).

A. Public Comment

None.

B. Commission Discussion

None.

C. Commission Final Action

Motion by Commissioner Falahee, seconded by Commissioner MacAllister to take final action on the language (Attachment E) as presented and move forward to the JLC and Governor for the 45-day review period.

A roll call vote followed:

Dimick – yes
Haney – yes
Engelhardt-Kalbfleisch – yes
Kondur – yes
MacAllister – yes
Lalonde – yes
Ferguson – yes
Guido-Allen – yes
Falahee – yes
McKenzie – yes

Motion carried.

Commissioner MacAllister won't participate in deliberations and voting on Positron Emission Tomography (PET) Scanner Services due to potential conflict of interest.

VII. Positron Emission Tomography (PET) – Public Hearing Summary

Ms. Rogers gave an overview of the public hearing summary and the Department's recommendations (Attachment F).

A. Public Comment

1. Tom Boike, MHP

B. Commission Discussion

Discussion followed.

C. Commission Final Action

Motion by Commissioner Falahee, seconded by Commissioner Haney to take final action on the language (Attachment G) as presented and move forward to the JLC and Governor for the 45-day review period. Motion carried.

A roll call vote followed:

Dimick – yes
Haney – yes
Engelhardt-Kalbfleisch – yes
Kondur – yes
MacAllister – abstain
Lalonde – yes
Ferguson – yes
Guido-Allen – yes
Falahee – yes
McKenzie – yes

Motion carried.

VIII. Magnetic Resonance Imaging (MRI) Informal Workgroup – Interim Report from Chairperson Suresh Mukherji, MD (*Written Only*)

Chairperson McKenzie mentioned the written report provided by MRI Informal Workgroup Chairperson Mukherji. (Attachment H).

IX. Legislative Update

Chairperson McKenzie and Vice-Chairperson Falahee provided an update.

X. Administrative Update

A. Planning & Access to Care Section Update

Ms. Nagel provided an update.

B. CON Evaluation Section Update

Ms. Bhattacharya provided an update on the following items:

1. Compliance Reports (Attachment I)
2. Quarterly Performance Measures (Attachment J)
3. Use of CON Annual Survey (Attachment K)

XI. Legal Activity Report (Written Report)

Mr. Heckman provided an update on the CON legal activity (Attachment L).

XII. Future Meeting Dates: December 9, 2021, January 27, 2022, March 17, 2022, June 16, 2022, September 15, 2022, and December 8, 2022

XIII. Public Comment

1. Kathy Dollard, Mid-Michigan Health – asking for an additional charge for the informal workgroup: creative solution for additional beds for pediatric/child adolescent patients

Commission discussion followed.

Motion by Commissioner Guido-Allen, seconded by Commissioner MacAllister to delegate to Chairperson McKenzie to add the following charge to the psychiatric beds informal workgroup charge and to have the chairperson approve the revised charge.

To consider creative ideas for improving access to child/adolescent psychiatric beds.

Motion carried

XIV. Review of Commission Work Plan

Chairperson McKenzie presented the Work Plan (Attachment M).

A. Commission Discussion

Discussion followed.

B. Commission Action

Motion by Commissioner Lalonde, seconded by Commissioner Kondur to accept the Work Plan as presented with updates from today's meeting. Motion carried.

XV. Adjournment

Motion by Commissioner Kondur, seconded by Commissioner Lalonde to adjourn the meeting at 10:55 a.m. Motion Carried.